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2200/2153
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Huang, et al.

Serial No. 09/240,833

Filed: February 1, 1999

For: IP Routing Lookup Scheme And System For
Multi-Gigabit Switching Routers

Art Unit: 2153

Examiner: Benson, W.

Atty. Docket: 147268.00261

**PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 C.F.R. 1.181**

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Abandonment mailed September 24, 2001 (*See* Attachment A, Notice of Abandonment, Paper Number 4), Applicant respectfully requests withdrawal of holding of abandonment based on the following Remarks.

Applicant also submits the attached Declaration and Power of Attorney (*See* Attachment B) appointing Thomas Moga and Powell, Goldstein, Frazer & Murphy, LLP, to transact all business in the Patent and Trademark Office regarding this Application.

It is believed that no fee or extension of time is required. However, if a fee is necessary, then such fee is hereby authorized to be charged to our Deposit Account No. 50-1682.

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REMARKS

Applicant hereby submits that pursuant to 37 CFR 1.181 and MPEP 711.03(c) the following facts warrant withdrawal of the holding of abandonment of the above-referenced Application. The name and address of record in the Patent and Trademark Office for correspondence in the above-referenced Application is:

Nen-Fu Huang
No. 10, Alley 3, Lane 6, FU Chun St.
Hsinchu
Taiwan

(See, e.g., the Notice of Abandonment, Attachment A). On October 23, 2001, Applicant received a Notice of Abandonment dated September 24, 2001. (See Attachment A). The Notice states as grounds for abandonment, Applicant's failure to respond to an Office letter mailed January 30, 2001. However, Applicant hereby states that no Office letter or similar correspondence was received by Applicant with a mailing date on or about January 30, 2001. (See Attachment C, Declaration of Nen-Fu Huang). Applicant further states that a search of Applicant's file jacket and records indicates that an Office communication with a mailing date on or about January 30, 2001 was never received. (See Attachment C).

For the foregoing reasons, withdrawal of the Examiner's holding of abandonment is the appropriate course of action. Therefore, pursuant to 37 CFR 1.181 and MPEP 711.03(c), Applicant respectfully requests withdrawal of holding of abandonment based on failure to receive the Office letter.

CONCLUSION

Applicant respectfully requests that Examiner reconsider and withdraw the holding of abandonment, and that the Office letter (mailed from the Patent and Trademark Office January 30, 2001) be mailed to Powell, Goldstein, Frazer & Murphy, LLP, per the enclosed Power of Attorney. It is believed that a full and complete petition has been made for withdrawal of the Notice of Abandonment and, as such, the present application is in active status. If Examiner believes, for any reason, that personal communication will expedite prosecution of this application, Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Petition is respectfully requested.

Respectfully submitted,

Powell, Goldstein, Frazer & Murphy, LLP

By: *Thomas T. Moga*
for Thomas T. Moga
Reg. No. 34,881

Date: December 17, 2001
Powell, Goldstein, Frazer & Murphy, LLP
P.O. Box 97223
Washington, D.C. 20090-7223
(202) 624-3947



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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AIR MAIL

EXAMINER

BENSON, W

ART UNIT	PAPER NUMBER
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2153

DATE MAILED:

09/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

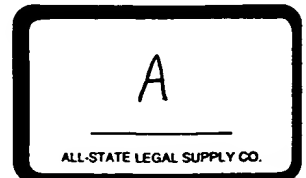
Commissioner of Patents and Trademarks



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2 - Mail Copy

Notice of Abandonment

Application No.

09/240,833

Applicant(s)

Huang et al.

Examiner

Walter Benson

Art Unit

2153

The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Jan 30, 2001.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).

(c) ☒ No response has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.

(b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d) is \$ _____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ The proposed new formal drawings filed on _____ are not acceptable and the period for reply has expired.

(c) ☐ No proposed new formal drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

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GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

OFFICE OF PETITIONS
DEPUTY A/C PATENTS
Notice of Abandonment



DECLARATION

As the below named applicant, I hereby declare the following:

I did not received the Office letter mailed by the United States Patent and Trademark Office on Jan. 30, 2001 with regard to the U.S. Patent Application Serial No. 09/240,833 (invention title: IP ROUTING LOOKUP SCHEME AND SYSTEM FOR GIGABIT SWITCH ROUTERS).

My search of the file jacket and records also indicates that the Office letter was not received.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this statement is directed.

Sign on this 27 day of November, 2001.

By : Nen-Fu Huang (sign)

Name: Nen-Fu Huang (print)

